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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 CLARENCE JOHNSON, )  
10 )  
11 Petitioner, ) CASE NO. C08-1794-MJP  
12 )  
13 v. )  
14 )  
15 STEVEN SINCLAIR, ) ORDER DENYING FEDERAL  
16 ) HABEAS PETITION  
17 Respondent. )  
18 \_\_\_\_\_ )

19 The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's  
20 answer to the petition, the Report and Recommendation of the Honorable James P. Donohue,  
21 United States Magistrate Judge, and the balance of the record, does hereby find and Order:

- 22 (1) The Court adopts the Report and Recommendation.  
23 (2) Petitioner's federal habeas petition (Dkt. No. 1) is DENIED and this action is  
24 DISMISSED with prejudice.  
25 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for  
26 respondent, and to Judge Donohue.

DATED this 15th day of September, 2009.

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28   
29 Marsha J. Pechman  
30 United States District Judge

31 ORDER DENYING FEDERAL  
32 HABEAS PETITION